

PATENT

3764

#658
12-40

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Dennis McDevitt et al.
Application No. : 09/981,623
Filing Date : October 16, 2001
Entitled : METHODS AND APPARATUS FOR PREVENTING
MIGRATION OF SUTURES THROUGH
TRANSOSSEOUS TUNNELS
Atty. Docket No. : 22956-255 (MIT-220CON)

Group Art Unit: 3764

Examiner: M. Brown

Certificate of Mailing (37 C.F.R. 1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service Post Office as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date set forth below.

Nov. 25, 2003

Date of Signature and Mail Deposit

By:

Lisa J. Michaud, Reg. No: 44,238

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REVOCATION AND GRANT OF POWER OF ATTORNEY
AND CHANGE OF ADDRESS

RECEIVED
DEC 03 2003
TECHNOLOGY CENTER R3700

Dear Sir:

Ethicon, Inc. (a Johnson & Johnson Company) having a principal office at Route 22 West, Somerville, New Jersey, 08876, represents that it is the owner of record of all right, title and interest in the above-identified patent application by virtue of the following documents, copies of which are enclosed herewith:

- (1) an Assignment of U.S. Patent Appl. No. 09/234,022 (from which this application claims priority to) dated June 10, 1999 and June 11, 1999 from Dennis M. McDevitt and James Nicholson to Innovasive Devices, Inc.; and
- (2) A Certificate of Merger of Innovasive Devices, Inc. into Ethicon, Inc.

Assignee has reviewed the evidentiary documents pertaining to the rights of Assignee to take this action and certifies that, to the best of Assignee's knowledge and belief, title to the above-identified patent application is in Assignee.

The undersigned, whose title is supplied below, is empowered to act and is authorized to execute this document on behalf of the Assignee and hereby revokes all previous powers in the above-identified application and respectfully requests the appointment of all practitioners at **Customer Number 021125**, all of Nutter, McClennen & Fish LLP, World Trade Center West, 155 Seaport Boulevard, Boston, Massachusetts 02210-2604, jointly, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U. S. Patent and Trademark Office connected therewith.

Please mail all correspondence to Lisa J. Michaud at **Customer Number 021125**, whose address is:

Nutter McClennen & Fish LLP
World Trade Center West
155 Seaport Boulevard
Boston, Massachusetts 02210-2604

Please direct telephone calls to: Lisa J. Michaud at (617) 439-2550.

Please direct facsimiles to: Lisa J. Michaud at (617) 310-2550.

Respectfully submitted,

Date: Nov. 25, 2003



Lisa J. Michaud, Reg. No. 44,238
Attorney for Applicants

NUTTER, MCLENNEN & FISH, LLP
World Trade Center West
155 Seaport Boulevard
Boston, MA 02210
Tel: (617) 439-2550
Fax: (617) 310-9550

1277197.1

ASSIGNMENT

WHEREAS, we, Dennis McDevitt, of 2 Nathaniel Way, Upton, Massachusetts, and James Nicholson, of 14 Meadowdam Road, Lincoln, Massachusetts, having invented certain new and useful improvements in METHODS AND APPARATUS FOR PREVENTING MIGRATION OF SUTURES THROUGH TRANSOSSEOUS TUNNELS for which we have made application for United States Letters Patent

X

filed on January 19, 1999

as application serial no. 09/234/022

WHEREAS, Innovasive Devices, Inc., a Massachusetts corporation, having a place of business at 734 Forest Street, Marlborough, Massachusetts, and its successors and assigns (collectively hereinafter called "ASSIGNEE"), is desirous of acquiring my entire right, title and interest in and to the invention, and in and to the said application and any Letters Patent that may issue thereon;

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we do hereby sell assign and transfer unto said ASSIGNEE, its successors, assigns and legal representatives the full and exclusive right, title and interest in and to said invention and in and to said application and all patents which may be granted therefore, and all divisions, reissues, substitutions, continuations, continuations-in-part and extensions thereof; and we hereby authorize and request the Commissioner of Patents and Trademarks to issue all patents for said invention, or patents resulting therefrom, insofar as my interest is concerned, to the said ASSIGNEE of our entire right, title and interest.

We also hereby sell and assign to said ASSIGNEE, its successors, assigns and legal representatives the full and exclusive rights, title and interest to the invention disclosed in said application throughout the world, including the right to file applications and obtain patents, utility models, industrial models and designs for said invention in its own name throughout the world, including all rights of priority, all rights to publish cautionary notices reserving ownership of said invention, and all rights to register said invention in appropriate registries; and we further agree to execute any and all powers of attorney, applications, assignments, declarations, affidavits, and any other papers in connection therewith necessary to perfect such rights, title and interest in ASSIGNEE, its successors, assigns and legal representatives.

We hereby further agree that we will communicate to said ASSIGNEE, or to its successors, assigns and legal representative, any facts known to us respecting any improvements; and, at the expense of said ASSIGNEE, to testify in any legal proceedings, sign all lawful papers, execute all divisional, continuation, continuation-in-part, reissue and substitute applications, make all lawful oaths, and generally do everything possible to vest title in said ASSIGNEE and to aid said ASSIGNEE, its successors, assigns and legal representatives to obtain and enforce proper protection for said invention in all countries.

IN WITNESS WHEREOF, I hereto set my hand and seal at Marlboro,
Massachusetts this 10th day of June, 1999.

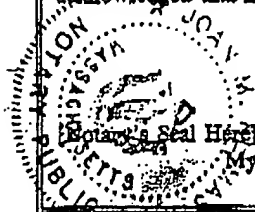
Dennis M. McDermott
Dennis McDermott

Commonwealth
STATE OF Massachusetts
COUNTY OF Middlesex

SS.

Before me this 10th day of June, 1999 personally appeared DENNIS
McDEVITT, known to me to be the person whose name is subscribed to the foregoing Assignment and
acknowledged that he executed the same as his free act and deed for the purposes therein contained.

Joan M. Klimas
NOTARY PUBLIC



My Commission Expires: December 18, 2003

IN WITNESS WHEREOF, I hereto set my hand and seal at _____,
_____ this _____ day of _____, 19____.

James Nicholson

STATE OF _____
COUNTY OF _____

SS.

Before me this _____ day of _____, 19____, personally appeared JAMES
NICHOLSON known to me to be the person whose name is subscribed to the foregoing Assignment and
acknowledged that he executed the same as his free act and deed for the purposes therein contained.

NOTARY PUBLIC

[Notary's Seal Here]

My Commission Expires:

IN WITNESS WHEREOF, I hereto set my hand and seal at _____,

_____ this _____ day of _____, 19____.

Dennis McDevitt

STATE OF _____

SS.

COUNTY OF _____

Before me this _____ day of _____, 19____, personally appeared DENNIS McDEVITT, known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.

NOTARY PUBLIC

[Notary's Seal Here]

My Commission Expires:

IN WITNESS WHEREOF, I hereto set my hand and seal at Dedham

MA this 11th day of June, 1999

James Nicholson
James Nicholson

STATE OF MASSACHUSETTS

SS.

COUNTY OF NORFOLK

Before me this 11th day of June, 1999, personally appeared JAMES NICHOLSON known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.

Darlene S. Conners
NOTARY PUBLIC

[Notary's Seal Here]

My Commission Expires:

DARLENE S. CONNERS

Notary Public

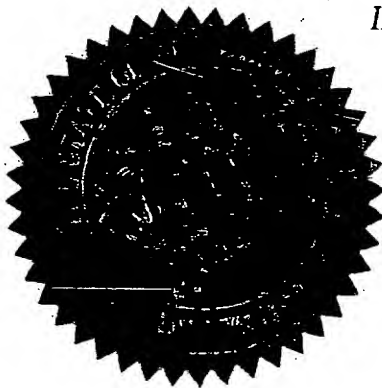
My Commission Expires July 8, 2002

STATE OF NEW JERSEY
DEPARTMENT OF TREASURY
CERTIFICATE RELATIVE - MERGER

ETHICON, INC.

With the Previous or Alternate Name
JOHNSON & JOHNSON MEDICAL, INC.

I, the Treasurer of the State of New Jersey,
do hereby certify, that the above-named
New Jersey Domestic Profit Corporation did
on the 23rd day of December, 1999, file and record
in this department a Certificate of Merger of
INNOVASIVE DEVICES, INC.
into ETHICON, INC.
which is the surviving business entity. This certificate
is herein issued as by the statutes of this State required.



IN TESTIMONY WHEREOF, I have
hereunto set my hand and
affixed my Official Seal
at Trenton, this
6th day of April, 2001

A handwritten signature in cursive script, reading "Peter R. Lawrance".

Peter R Lawrance
Acting State Treasurer